

NOTICE • NOTICE • NOTICE • NOTICE • NOTICE

STARTING WITH THE 12/1/08 CALENDAR, A “SECOND CHECK” WILL NO LONGER BE CONDUCTED. ONLY ONE EXAMINATION OF THE FILES WILL BE MADE APPROXIMATELY TWO WEEKS PRIOR TO THE HEARING. THESE NOTES REPRESENT THE STATUS OF THE FILE AT THAT TIME. ANY LATER DOCUMENTS WILL NOT BE REVIEWED BY THE PROBATE EXAMINERS PRIOR TO THE HEARING.

NOTICE • NOTICE • NOTICE • NOTICE • NOTICE

THE NOTES BELOW REPRESENT NOTES AFTER THE SECOND CHECK HAS BEEN COMPLETED. NO FURTHER DOCUMENTS WILL BE REVIEWED PRIOR TO HEARING.

The Probate Examiners can be reached at ProbateNotes@courts.sbcounty.gov. Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. PLEASE DO NOT SEND EMAILS TO STATE THAT DOCUMENTS HAVE BEEN FILED, TO REQUEST A CONFIRMATION OF WHETHER DOCUMENTS HAVE BEEN RECEIVED, OR TO REQUEST THE CLEARING OF NOTES. No legal or procedural advice may be given.

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

PROBATE

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0600183

CASE NAME: ESTATE OF GEORGE F BOTTS

HEARING:

Accounting Review

COUNSEL:

JANET SIMMONS
GOERGE F BOTTS

(PET)...PRO/PER
(DEC)...

GENERAL INFORMATION:

Letters of Administration issued 3/15/07 (full authority, no bond)

Continued from 5/22/08. Court directs petitioner to file a proper accounting. Nothing new filed.

Continued from 7/31/08. No appearance. Court ordered that representative file an accounting or appear on 9/24/08. Clerk mailed notice. Nothing new filed.

Continued from 9/24/08. Court found that documents filed are not a proper accounting. Representative (in attendance) was ordered to seek legal advice/counsel and to be present at next hearing. Nothing new filed.

Ex parte petition for final discharge was rejected on 9/30/08 – no final distribution order has been entered, no receipts, etc.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.
2. Petitioner has filed a document requesting Final Discharge. Petitioner has attached a number of documents to the form that may be an attempt at an accounting. However, it does not comply with Pr. C. 1060 et seq.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

gls/vet/gls/abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700041

CASE NAME: DALE WRIGHT

HEARING:
Accounting Review

	COUNSEL:
VIOLET GULLETON	(PET)...SKVARNA LAW FIRM
DALE WRIGHT	(DEC)...
PAUL MITALAS	(PET)...SKVARNA LAW FIRM
MARION A HALE	(TP)...LAYNE A BARTHOLOMEW
CHRIS WRIGHT	(BANKS GARCIA & JANIS)...BANKS GAR
DAMIAN G GARCIA	(BANKS GARCIA & JANIS)...BANKS GAR

GENERAL INFORMATION:

Letters of Administration issued 7/31/07 (full authority, no bond)

Continued from 10/2/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Accounting Review/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No accounting or status report is filed.

RECOMMENDATION:

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Gls/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700197

CASE NAME: CHARLES EDWIN MCGUYER JR

HEARING:
Accounting Review

COUNSEL:
CYNTHIA S REUTER (PET)...JANET M HERRING
CHARLES EDWIN MCGUYER JR (DEC)...

GENERAL INFORMATION

**Continued from 7/23/08. Escrow had not closed on sold property.
Continued from 9/17/08 at request of counsel – escrow closed, in process of
preparing an accounting. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition grated 5/16/07, \$180,500 bond.
2. Need accounting or probate status report. (Status report can be filed if escrow is still pending or sale has fallen through.)
3. Suggest court notice bonding company.

RECOMMENDATION

Notice bonding company. When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/abs/abs

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700383

CASE NAME: **MF** DAVID ZANE WALKER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

CARL PRESTON SMITH	(PET)...	JOHN D MANNERINO
DAVID ZANE WALKER	(DEC)...	
BARBARA WALKER	(PET)...	LINDA ROBERTS-ROSS
CHRISTINE (TINA) JENO	(PET)...	WILLIAM M NASSAR & ASSOCIATES
BARBARA WALKER	(PET)...	LINDA ROBERTS-ROSS
CHRISTINE (TINA) JENO	(PET)...	WILLIAM M NASSAR & ASSOCIATES
CRAIG M PARKER	(TP)...	HORSPOOL & PARKER
KELLY L PEXTON	(WILLIAM M NASSAR & ASSOCIATES)...	WILLIAM M
JEFF WALKER	(PRO/PER)...PRO/PER

GENERAL INFORMATION

Continued from 6/11/08 on basis firearms were stolen from estate property and a police investigation was pending.

Continued from 9/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 11/30/07 (at MSC), no bond.
2. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

Abs/abs/abs

FUTURE HEARING DATES:

2/04/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700421

CASE NAME: RAYMOND CHARLES WILLET

HEARING:
Probate status report filed.

COUNSEL:
JEFFREY WILLET (PET)...HAGAR & COTTEN
RAYMOND CHARLES WILLET (DEC)...

GENERAL INFORMATION
Continued from 9/24/08.

THIS CASE IS SET FOR HEARING ON
Probate status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration were issued on 6/15/07, \$150,000 bond.
2. Representative states that it is necessary to investigate decedent's partial ownership interest in (and value of) a limited partnership. Representative requests an additional six months to administer estate (to 2/09).

RECOMMENDATION
Court's discretion. If approved, set next accounting review for 11/15/09 (on year).

Abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700541

CASE NAME: MARGARITA ESPINOSA

HEARING:
Accounting Review

COUNSEL:
LAWRENCE A DEAN II (PET)...SHERRI L KASTILAHN
MARGARITA ESPINOSA (DEC)...

GENERAL INFORMATION

**Continued from 10/1/08 at request of counsel – accounting is ready to be filed.
Nothing new filed.**

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued to PPF on 8/9/07, \$200,000 bond.
2. Need accounting or probate status report.
3. Court to notice bonding company.

RECOMMENDATION

When the personal representative does not file an accounting or report as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/abs

COMPANION FILE= SCSS01340

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700885

CASE NAME: FLORENCE HIGGINS EMMINGER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

NANCY OTT (PET)...MEDEIROS & ASSOCIATES
FLORENCE HIGGINS EMMINGER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 10/31/07, full authority and \$350,000 bond.
2. At a 5/14/08 hearing re I&A, letters had not issued and the court was advised that the representative could not qualify for bond. The court granted a new order for limited authority, no bond. Letters issued on 5/22/08.
3. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

Abs

FUTURE HEARING DATES:

1/07/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0700935

CASE NAME: JULIAN DANIEL SANCHEZ

HEARING:

Order to Show Cause re: Failure to Post Bond/Issue
Letters/Removal filed by CHRISTINE ANDERSON.

COUNSEL:

CHRISTINE ANDERSON (PET)...PRO/PER
JULIAN DANIEL SANCHEZ (DEC)...

GENERAL INFORMATION

OSC set at 8/20/08 hearing where there was no appearance. Clerk mailed notice. Continued from 10/8/08. No appearance. Matter was continued for removal of administrator and failure to post bond/obtain letters. Clerk mailed notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition granted 2/6/08, \$200,000 bond.
2. Counsel substituted out of the case on 5/29/08.
3. Bond has not been posted and letters have not issued.
4. No I&A filed.
5. Suggest court notice bonding company of any continued dates.

RECOMMENDATION

Court's discretion. I&A technically is not yet due because letters have not issued. Need posting of bond and issuance of letters.

Abs/abs

FUTURE HEARING DATES:

4/15/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0701091

CASE NAME: JORGE PASILLAS

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

EDONA M PABLO (PET)...MAYES LAW OFFICES
JORGE PASILLAS (DEC)...
ALEJANDRO PARTIDA (PET)...PRO/PER
MARISOL LOPEZ (PET)...PRO/PER
JULISSA M PASILLAS-PABLO (MIN)...
MALIA J PASILLAS-PABLO (MIN)...
DANIEL J PASILLAS-PABLO (MIN)...
RAYMOND F MOATS III (TP)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 4/16/08, \$20,000 bond.
2. Partial and Final I&As have been filed. Need bank/investment statements per Local Rule 20-908.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

abs

FUTURE HEARING DATES:

6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800155

CASE NAME: ERNEST RALPH RICCARDI

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

KENNETH RICCARDI (PET)...CANDACE K. LADLEY
ERNEST RALPH RICCARDI (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 4/16/08, no bond.
2. A Final I&A has been filed. Need bank/investment statements per Local Rule 20-908.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

abs

FUTURE HEARING DATES:

12/29/08 FIRST AND FINAL Account and Report of KENNETH RICCARDI and Petition for allowance of fees filed.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800167

CASE NAME: In re Estate of Edward Eugen Toliver

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

TIM TOLIVER (PET)...CHRIS FORD
EDWARD EUGENE TOLIVER (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 4/16/08, no bond.
2. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

abs

FUTURE HEARING DATES:
6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800171

CASE NAME: Estate of Michael John Crabb

HEARING:

Hearing re: Inventory and appraisal

Vacated-Final Inventory and Appraisal filed

COUNSEL:

SAMUEL P MAXWELL (PET)...PRO/PER
MICHAEL JOHN CRABB (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800185

CASE NAME: GEORGE ALFRED ARMSTRONG JR.

HEARING:

Hearing re: Inventory and appraisal

Vacated

COUNSEL:

GEORGE ALFRED ARMSTRONG III (PET)...DEBRA S POPINEAU

GEORGE ALFRED ARMSTRONG JR (DEC)...

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800338

CASE NAME: JOSEPH MOLLIS, SR.

HEARING:

Report Sale and Petition for Order Confirming Sale of Real
Property.

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...HORSPOOL & PARKER
JOSEPH MOLLIS SR (DEC)..
PUBLIC ADMINISTRATOR (PET)...HORSPOOL & PARKER
JOSEPH MOLLIS SR (DEC)...

Address: 17151 Athol St., Fontana, CA

Appraised Value: \$160,000 (reappraisal for sale 9/18/08)

Sale Price: \$165,000

First Overbid: \$173,750

Deposit: \$16,500

Commission: 6%

Additional Bond: None (Public Administrator)

Reason for Sale: Necessary to pay debts and expenses of administration

Market Exposure: Published, MLS, signage.

Notice: Ok (including publication)

COMPANION FILE=PROPS0800339

FUTURE HEARING DATES:

2/10/09 Hearing re: Inventory and appraisal, 9/15/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800893

CASE NAME: MARY KAY WRIGHT

HEARING:
Petition to determine succession to Real Property

COUNSEL:
DIRK T WRIGHT (PET)...CALDWELL, KENNEDY & PORTER, A.
MARY KAY WRIGHT (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition to determine succession to real property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent formed a will in 1996 and died in 2002 leaving a surviving spouse and adult children. Surviving spouse later died in 2008. The current petitioner is the executor of the second spouse to die.
2. Petitioner executor seeks a one-half interest in real property that was the first deceased spouse's separate property. The subject property would pass to the second spouse pursuant to a will attached to the petition.
3. I&A filed indicating a \$80,000 value of decedent's half interest in the Wrightwood, CA real property.

RECOMMENDATION

RFA. If approved, no future dates need be set.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800896

CASE NAME: DONNA M SWANK

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

SHIRLEY KAREN DESOUSA (PET)...PECCORINI & PECCORINI
DONNA M SWANK (DEC)...

GENERAL INFORMATION

Special administration was granted on 10/15/08, no bond.

THIS CASE IS SET FOR HEARING ON

Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond.
2. The pour-over will incorporates the terms of decedent's trust. Copy of trust provided.
3. Section 8 of the petition does not list all required persons (e.g, deceased spouse named in will, trustee and any additional beneficiaries of the trust for the pour-over will). **Supp: Petitioner indicates the only other people named in such trust as successor trustees and/or beneficiaries are the decedent's children who are already named in Section 8 of the petition and have received notice.**

RECOMMENDATION

Recommend for approval absent objections. If approved, set future hearing for Accounting/Status Review on 02/09/10. Any accounting to be filed 30 days in advance. Note requirements of local rule 20-908.

Abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800.

CASE NAME: SACHI V. HALEY

HEARING:

Hearing re: Petition for Probate of Will and Letters with
limited authority IAEA.

COUNSEL:

TADAHIRO HALEY (PET)...JOHN J. CAYER
SACHI V. HALEY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Letters of Administration with limited
authority under IAEA.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond; however, petitioner is a non-resident. Petitioner is also merely
requesting limited authority. Does court wish to set minimum bond per Pr. C. §
8571? Judge to decide

RECOMMENDATION

Recommend for approval absent objections and ruling re bond. If approved, set future
hearing for Accounting/Status Review on 02/09/10. Any accounting to be filed 30 days in
advance. Note requirements of local rule 20-908.

(cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800921

CASE NAME: NIAOMI FRANCO S.N. TRUST

HEARING:
Petition for APPROVAL OF FIRST ACCOUNT CURRENT OF TRUSTEE

COUNSEL:
WELLS FARGO BANK, TRUSTEE (PET)...RANDOLPH M SHARON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
First account for Special Needs Trust and petition for fees and for transfer to Los Angeles County.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Special needs trust as a result of settlement of a civil claim was created by order of court on 6/26/07.
2. Accounting period 8/1/07 to 7/31/08 (12 months).
3. Assets on hand \$815,896.13. SNT also receives \$276,000/yr annuity payments.
4. No bond – trustee is a financial institution.
5. The SNT was approved by a San Bernardino County court. The SNT is administered in Los Angeles County (Pasadena) where petitioner trustee, Wells Fargo Bank, has its offices. The trustee petitioner now requests a transfer of this action to Los Angeles County Superior Court. In light of the fact that this SNT has been administered in L.A. County since its inception, question whether this court has jurisdiction to rule upon this accounting (which was filed in a new case in this county – this case is not a continuation of the case in which the SNT was approved). Note that no Certificate of Assignment has been filed but, if

- filed, apparently would not have supported jurisdiction for this case in this county. JTD.
6. Trustee reports that it has been paid \$9,090.47 per its fee schedule (Exhibit D) and it requests approval of same. It also requests an additional \$500 for preparing this accounting. Fees are based upon a percentage of trust assets (see schedule at Exhibit D) yet no calculation is made. Need verified supplement.
 7. Atty requests \$2,500 fees and reimbursement for \$40 filing fees. Atty declaration states that billing of six to eight hours spent at \$350/hr would be \$2,100 to \$2,800 but that she agrees to take a flat \$2,500. JTD.
 8. Disbursements (Schedule C) show many payments to credit cards for miscellaneous expenses or reimbursements, to random merchant such as Lowes without explanation, and to utilities such as AT&T and Verizon. Disbursements (Schedule H) show approximately \$20,000 cash disbursements to the SNT beneficiary and more utility and credit card payments. Issues (Need verified supplement and/or P&As):
 - a. Question how these are payments for "Special Needs" such that they are proper SNT expenditures under the SNT statutory scheme.
 - b. Need detail for expenditures for underlying credit card or miscellaneous payments.
 9. Verification is a faxed signature. Suggest court require original.

RECOMMENDATION

Need to clear notes.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: PROPS0800925

CASE NAME: DELLA PAULINE COVEY

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

RONALD J COVEY (PET)...DONALD N FELD
DELLA PAULINE COVEY (DEC)...

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Petition for Probate of Will and Letters
Testamentary with full authority under the Independent Administration of Estates Act, no
bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Will waives bond. Proposed executor is a California resident.
2. Deceased spouse not listed in Section 8. Need verified supplement.
3. Will is not self-proving, but Declaration in Support of Authenticity of Will complies
with PrC § 8221 re proof of Will where no witness available. Judge to decide if
declaration satisfies due diligence requirement. See pink tab in file.
4. Need to file Proof of Publication.

RECOMMENDATION: Need to clear notes. If approved, need to set Inventory and
Appraisal Review Hearing for **7/1/09** and Accounting Review Hearing for **1/27/10**.
Accounting to be filed 30 days prior. Note Local Rule 20-908 re filing of bank/investment
statements

PDL

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07275

CASE NAME: ESTATE OF WILLIAM DONALD SCOTT

SEE ALSO 21

HEARING:

Order to Show Cause re: Failure to Post Bond and Removal filed
by WILLIAM P SCOTT.

COUNSEL:

WILLIAM P SCOTT (PET)...MICHAEL S. ARNOLD
WILLIAM DONALD SCOTT (DEC)...

GENERAL INFORMATION

Continued from 10/8/08. Counsel stated that he has not been able to contact his client. Court ordered client to appear at next hearing. Clerk mailed notice. Nothing new filed.

THIS CASE IS SET FOR HEARING ON
Proof of posting of additional bond.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. At an 8/27/08 I&A hearing, the court required \$125,500 additional bond (to a total \$178,500) and this review hearing was set.
2. There is no proof of posting of additional bond.
3. **A notice of non-payment of bond premium was filed on 9/10/08.**

RECOMMENDATION

Need proof of payment of existing bond premium and filing of bond increase.

Abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: SPRSS07275

CASE NAME: ESTATE OF WILLIAM DONALD SCOTT

SEE ALSO 20

HEARING:
Accounting Review

COUNSEL:
WILLIAM P SCOTT (PET)...MICHAEL S. ARNOLD
WILLIAM DONALD SCOTT (DEC)...

GENERAL INFORMATION

Continued from 11/26/07 at request of counsel. Nothing new filed.

Continued from 1/10/08. No appearance. Court also set OSC re failure to appear. Clerk mailed notice.

Continued from 3/26/08 at request of counsel to file I&A and accounting. OSC re sanctions dismissed.

Continued from 5/7/08 at request of counsel.

Continued from 7/9/08 at request of counsel.

Continued from 8/27/08 at request of counsel to file accounting.

Continued from 10/8/08. Counsel stated that accounting is done but he has not been able to contact his client for signature.

THIS CASE IS SET FOR HEARING ON OSC re filing of bank statements

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Need accounting.
2. **Notice of Non-Payment of Bond Premium has been filed.**

RECOMMENDATION:

When documents are not filed as ordered, court may set a hearing in accord with Pr.C. § 8505. Clerk to notice bonding company.

gls/vet/abs/abs/abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002761

CASE NAME: ESTATE OF KATHIE JO STEVENS

HEARING:
Accounting Review

COUNSEL:
JUDITH LEE BROWN (PET)...DAVID W BROWN
KATHIE JO STEVENS (DEC)...

GENERAL INFORMATION

Continued from 5/7/08 to file status report. Nothing new filed.
Continued from 8/20/08 at request of counsel. Nothing new filed.
Continued from 10/8/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First account current granted 11/7/07. Real property needed to be sold.
2. Need accounting or status report.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq.

Abs/abs/abs

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002863

CASE NAME: ESTATE OF ROBERT P SIMMONS

HEARING:

Waiver of account and for final distribution.

COUNSEL:

MICHAEL SIMMONS	(PET)...	THE HEGNER LAW FIRM
ROBERT P SIMMONS	(DEC)...	
MICHAEL SIMMONS	(PET)...	HEGNER LAW FIRM
ROBERT P SIMMONS	(DEC)...	

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition for final distribution upon waiver of account and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration with will annexed were issued on 3/14/07.
2. Petitioner is the sole beneficiary and waives an accounting.
3. Petitioner states that the estate real property (sole asset) has fallen into disrepair and requests that the beneficiaries be held responsible for the high costs of repair. However, the petitioner is the sole beneficiary after an assignment of interest from his sister and therefore this request does not make sense. Moreover, the Prayer and proposed order are silent on this issue. Need verified supplement clarifying.
4. Petitioner does not request compensation.
5. Atty requests \$9,300 statutory fees. Calculated, to be paid by petitioner outside of probate (the estate is not liquid).
6. Atty requests \$895 reimbursement for costs advanced. Itemized.
7. Real property is to be distributed and the Proposed Order does not include the beneficiary/distributtee's address as required by Local Rule 20-612. Need corrected proposed order.

RECOMMENDATION

Need to clear notes.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS002875

CASE NAME: MATTER OF THE HAROLD U PEEPLES TRUST

HEARING:
Accounting Review

COUNSEL:

GEORGE A PEEPLES	(PET)...CARRYE WASHINGTON
DEBRA BUCHANAN	(PET)...ROBERTA L. TAYLOR & ASSOCIATES
DEBRA BUCHANAN	(TP)...ROBERTA L. TAYLOR & ASSOCIATES
GEORGE PEEPLES	(CARRYE WASHINGTON)...CARRYE WA

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. A 10/8/08 purported accounting by trustee was actually a status report. A new accounting review was set for 11/19/08. Also on 10/8/08, the court granted a petition to remove trustee and a successor trustee, Debra Buchanan, was appointed. The court ordered the prior trustee, George Peoples, to complete an accounting and turn over assets.
2. Need accounting by prior trustee, George Peoples.

RECOMMENDATION
Court's discretion.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 9:00 DEPT: E1

CASE #: VPRVS003003

CASE NAME: ESTATE OF ERCILIA GONZALES

HEARING:
Accounting Review

COUNSEL:
SENAIDA HINOJOSA (PET)...PRO/PER
ERCILIA GONZALES (DEC)...

GENERAL INFORMATION:

Letters of Administration CTA issued 6/2/06 (full authority, no bond)
Continued from 8/8/07 at request of counsel. Continued from 10/3/07. No appearance.
Continued from 11/21/07. No appearance. Court set OSC re sanctions.
Continued from 1/09/08 by court. Case VCVVS044838 was dismissed on 12/12/07.
Matter is continued for petitioner to seek legal advice. Court ordered Senaida Hinojosa to be present at this hearing.
Continued from 3/5/08. No appearance.
Continued from 4/23/08. Court instructed representative to file a status report and ordered representative to appear at the next hearing.
Continued from 7/23/08. Status report had been filed on 7/1/08. At hearing, representative stated she was retaining counsel re probate and quiet title matters. Court ordered representative to be present at the next hearing. Nothing new filed.
Continued from 9/24/08 at request of counsel – still trying to retain counsel.
Nothing new filed.

THIS CASE IS SET FOR HEARING ON OSC re sanctions for failure to appear and/or to file an Accounting/Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Note: Attorney's motion to be relieved as counsel was granted on 7/11/07. Petitioner is now in pro per.

2. Related civil action pending and scheduled for possible settlement/dismissal on 9/24/07 (VCVVS044838). Per 10/3/07 Minute Order, the 9/24/07 Minute Order in the civil case states that the case will be dismissed if proof of service is not filed. Later dismissed – see above.
3. Petitioner alleges that estate is not in a condition to close due to petitioner preparing a Petition for Quiet Title regarding property located in Victorville, CA. Petitioner estimates 12-15 months before estate can be closed.
4. File notice of hearing and proof of service in accord with Pr.C. § 12201. Whenever a status report is filed without an accounting, notice must indicate a right to an accounting in accord with Pr.C. § 10950. **This form of notice is mandatory.**

RECOMMENDATION:

Require notice. Court may wish to set control date regarding quiet title action. If petition granted, court will have to set future dates. Set hearing for next status report and/or account for 9/30/09. Any accounting to be filed 30 days in advance. Estate to remain open until that time.

gls/kms/abs/vet/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

CONSERVATORSHIP

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: BC BS00027

CASE NAME: IN THE MATTER OF RICARDO TRUJILLO

HEARING:
Petition for TERMINATING CONSERVATORSHIP

COUNSEL:

RICARDO S TRUJILLO (PCE)...
MARY HELEN TRUJILLO (PET)...PRO/PER
MARY HELEN TRUJILLO (PET)...PRO/PER

FUTURE HEARING DATES:
4/08/09 Accounting Review

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Seventh and final accounting and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of the persona and estate was established in 1996.
2. Conservatee died on 2/10/08.
3. Accounting period 12/31/06 to 2/10/08 (13 ½ months).
4. Assets on hand \$329,209.41.
5. Bond is currently \$136,250.
6. Petitioner waives compensation.
7. Atty requests \$1,000 based upon an itemized 5 hrs at \$200/hr. JTD.
8. Petitioner did not use the mandatory Judicial Council forms (e.g., Summary of Account). On the other hand, this is a final accounting by a pro per. Does court wish to require?
9. Disbursements show \$20,000 given to petitioner "to pay forthcoming bills to include funeral, headstone, medical bills, home owners insurance, vehicle

insurance, property tax, lawyer's fees." (Exhibit B – see orange tab.) Need itemized backup for these items to ensure that all was spent on behalf of the conservatorship. Also, how do these attorney fees relate to the fees requested in this petition? Need verified supplement.

RECOMMENDATION

Need to clear note 9 then Court's discretion.

Abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: BC BS163

CASE NAME: IN THE MATTER OF ANNETTE LEAL

SEE ALSO 28

HEARING:
Hearing Re: Status

	COUNSEL:
ANNETTE LEAL	(PLA)...JEANNE KENNEDY
SALVADOR LEAL	(DEC)...PRO/PER
MARTHA MAIER	(SC)...

No notes – status.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: BC BS163

CASE NAME: IN THE MATTER OF ANNETTE LEAL

SEE ALSO 27

HEARING:
Petition for Appointment of Conservator

	COUNSEL:
ANNETTE LEAL	(PLA)...JEANNE KENNEDY
SALVADOR LEAL	(DEC)...PRO/PER
MARTHA MAIER	(SC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition for successor conservatorship, person only.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Limited conservatorship of the person only was granted to Salvador and Mercedes Leal (parents) in 1992. Appointed counsel (Jeanne Kennedy) now reports that current conservators are medically failing and cannot continue to serve and that conservatee's sister, Martha Maier, is willing to act as successor. Appointed counsel is petitioning for appointment of the sister.
2. Original/existing conservatorship is limited. Petitioner now seeks general conservatorship yet mentions that IRC provides services (and IRC received notice). For background, see Report of Conservatee's Counsel filed 9/24/08 (orange tab in file). Question whether limited conservatorship would be appropriate.
3. There is no indication in the file that the current conservators (parents) have ever been removed and there is no current petition for their removal, nor even any indication of consent to yield. Petitioner merely alleges at section 5b that

the current conservators can no longer care for conservatee, which by itself is insufficient. The court cannot reach a successor conservatorship petition without a proper vehicle for removal of the prior conservators.

4. No bond – person only.
5. Petitioner requests medical powers. Medical powers were granted as part of the original/existing conservatorship but no medical capacity declaration from back then is apparent in the file. Does court wish to require?
6. Petitioner requests Pr.C. 2354 powers to contract/purchase/employ professionals/operate a business on behalf of conservatee. Basis for need for each power is not presented. JTD.
7. Petitioner states that proposed conservatee is not able to complete an affidavit for voter registration. Such limitation is not present in the existing/original conservatorship order. JTD.
8. CI has been appointed. Need CI report.

RECOMMENDATION

Need to clear notes.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600071

CASE NAME: MILDRED M LEDGER

SEE ALSO 29A & 30

HEARING:

Petition for FOR ORDER DIRECTING TAMMY L FORD TO RETURN PROPERTY
TO THE CONSERVATOR AND FOR DAMAGES

COUNSEL:

RONNIE D SIZEMORE	(PET)...NICOLE ANDER SON
MILDRED M LEDGER	(PCE)...
TAMMY LEE FORD	(RES)...ZUMBRUNN LAW CORPORATION
ROBERTA L TAYLOR	(ROBERTA L. TAYLOR & ASSOCIATES)...ROBERTA

GENERAL INFORMATION

Continued from 12/12/07 re status of settlement. Court found that service was complete.
Prior notes carried forth below for informational purposes.

Continued from 2/27/08 at request of counsel. Court informs counsel that first paper filing
fees are due to the court.

Continued from 5/14/08 at request of counsel. Counsel has since substituted out of case.

Continued from 7/9/08 at request of counsel just retained.

Continued from 9/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON Petition to recover conservatee's assets and for
damages (Pr.C. 850)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservator of estate petitions for recovery of funds that respondent (Tammy Ford) allegedly misappropriated from conservatee. Petitioner alleges that respondent was added to conservatee's checking account but contributed no funds and that respondent used over \$128,000 from the account to improve her home, then sold the home for a profit.
2. Petitioner requests recovery, disgorgement, and double damages.

3. Petitioner/conservator's counsel substituted out of case 5/14/08. Petitioner is now in pro per.
4. **Opposition filed by Tammy Lee Ford.**

RECOMMENDATION

Inquire re settlement. Set for evidentiary hearing.

abs/kra/abs/abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600071

CASE NAME: MILDRED M LEDGER

SEE ALSO 29 & 30

HEARING:

Petition for FOR ATTORNEY FEES AND DECL OF ROBERTA L TAYLOR ESQ.
RE ATTORNEY FEES AND COSTS ETC

COUNSEL:

RONNIE D SIZEMORE	(PET)...NICOLE ANDER SON
MILDRED M LEDGER	(PCE)...
TAMMY LEE FORD	(RES)...ZUMBRUNN LAW CORPORATION
ROBERTA L TAYLOR	(ROBERTA L. TAYLOR & ASSOCIATES)...ROBERTA

GENERAL INFORMATION

Continued from 7/9/08 at request of counsel just retained.

Continued from 9/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON

Petition for fees by prior counsel for conservator.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioning atty represented conservator from 9/6/07 to 5/14/08. Counsel has substituted out of case and conservator is now in pro per.
2. Atty requests \$9,290 fees. Itemized, one atty at \$280/hr and a second at \$240/hr (but reduced to \$80/hr for paralegal level services). Atty has received \$5,000 leaving a \$4,560 balance. JTD.
3. Atty requests \$270 reimbursement for fees. Itemized, appears ok.

RECOMMENDATION

Court's discretion.

Abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0600071

CASE NAME: MILDRED M LEDGER

SEE ALSO 29 & 29A

HEARING:
Accounting Review

COUNSEL:

RONNIE D SIZEMORE	(PET)...NICOLE ANDER SON
MILDRED M LEDGER	(PCE)...
TAMMY LEE FORD	(RES)...ZUMBRUNN LAW CORPORATION
ROBERTA L TAYLOR	(ROBERTA L. TAYLOR & ASSOCIATES)...ROBERTA

GENERAL INFORMATION

Continued from 5/5/08 at request of counsel (who has since substituted out of case).

Continued from 7/9/08 at request of counsel just retained.

Continued from 9/17/08 at request of counsel.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Conservator appointed 2/26/07, \$100,000 bond.
2. No accounting filed.
3. Suggest court notice bonding company.

RECOMMENDATION:

Inquire status and notice bonding company. When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

kra/abs/abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700015

CASE NAME: RAYMOND JOSEPH BOYKO

HEARING:
Accounting Review

COUNSEL:
NORMA A KAWULOK (PET)...D. HERSHEL W ILSON
RAYMOND JOSEF BOYKO (CEP)...
LETICIA BOYKO (OBJ)...WILLIAM M NASSAR & ASSOCIATES

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First conservatorship account was granted on 10/1/08 and a new accounting review was set.
2. Need second accounting.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2.

abs

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700289

CASE NAME: GUSSIE HALL

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of WILLIAM THOMAS CLARK

COUNSEL:

WILLIAM THOMAS CLARK JR. (CPE)...THOMAS P. DOVIDIO
GUSSIE HALL (CEP)...BETTY G. BARRINGTON

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Conservatorship compliance review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of person and estate was granted on 4/16/08, \$20,000 bond.
2. Need proof of service of a copy of the Order for Conservatorship with Notification of Conservatee's rights per Pr.C.§1830(c).
3. Need final Inventory & Appraisal per Pr.C.§2610.
4. Need proof of service of Inventory & Appraisal including Instructions for Objection per Pr.C.§2610.
5. If the conservatorship estate holds interest in real property, need proof of recordation of letters in each county where the real property is located or where conservatee has security interest in real property per Pr.C.§2313.
6. Court Investigator 6 month report is filed.

RECOMMENDATION:

Inquire status. When an inventory and appraisal is not filed as ordered, court may set a hearing in accord with Pr.C. § 2614.5. When documents are not filed as ordered, court may set a hearing in accord with Pr.C. § 2655.

Abs/cbr

FUTURE HEARING DATES: 6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0700291

CASE NAME: MTR OF LUCILLE HAZEL HOFFMAN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

LLOYD L GREGG (CPE)...PRO/PER
ELAINE F GREGG (CPE)...JANET M HERRING
LUCILLE HAZEL HOFFMAN (CEP)...SHERRI L KASTILAHN

GENERAL INFORMATION

**Continued from 5/28/08. Co-conservator Lloyd Gregg had passed away. Elaine Gregg appointed sole conservator. New order and letters since submitted.
Continued from 9/17/08 at request of counsel. Nothing new filed.**

THIS CASE IS SET FOR HEARING ON

Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship, person and estate, granted 1/23/08.
2. Need proof of recording of Letters per Pr.C.§2313.
3. Need statement re care plan in accord with Pr.C.§2352.
4. The inventory is due within 90 days from the appointment of conservator per Pr.C.§2610. No inventory filed. Need final I&A.
5. CI six month review report filed.

RECOMMENDATION

Need to clear notes.

abs/abs/abs

FUTURE HEARING DATES:

4/01/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800071

CASE NAME: RACHEL KRUEGER

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

HEIDI CASTRO	(CPE)...LAW OFFICES OF JASON YANG, PLC
RACHEL KRUEGER	(CEP)...JEANNE KENNEDY
DALLAS KRUEGER	(CPE)...JANET M HERRING
RACHEL KRUEGER	(CEP)...
DALLAS KRUEGER	(CPE)...JANET M HERRING

GENERAL INFORMATION

THIS CASE SET FOR HEARING ON Inventory and Appraisal

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship granted on 08/13/08, person and estate, \$50,000 bond.
2. No Inventory and Appraisal filed.

RECOMMENDATION

Inquire status. Court may wish to continue Inventory and Appraisal hearing to 03/18/09 compliance review hearing as Inventory and Appraisal is included in compliance review.

(cbr)

FUTURE HEARING DATES:

3/18/09 Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of HEIDI CASTRO
10/21/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE J MICHAEL WELCH

DATE: 11/19/08 TIME: 10:30 DEPT: E1

CASE #: CONPS0800240

CASE NAME: EVELYN M. GUARNETT

HEARING:

Hearing Re: Petition for Appointment of Conservator

COUNSEL:

LAWRENCE M GUARNETT (CPE)...HORSPOOL & PARKER
EVELYN M GUARNETT (CEP)...JEANNE KENNEDY

GENERAL INFORMATION

Temporary orders granted on 09/15/08 person and estate, no bond.

On 10/01/08 Court ordered Jeanne Kennedy to remain appointed counsel. Proposed Conservatee to be well taken care of, do not move the proposed Conservatee and do not disburse large amount of funds.

THIS CASE SET FOR HEARING ON Petition for Appointment of Conservator of person and estate by son.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner requests no bond be required as all assets are in the Conservatee's trust. Petitioner alleges bond is not required under terms of the trust. Please submit copy of the trust.
2. Petitioner seeks medical powers. Need capacity declaration.
3. Petitioner seeks dementia powers. Need capacity declaration.
4. Petitioner seeks dementia powers. Report of counsel filed.
5. Stipulation and order signed re proposed conservatee to be examined by Dr. John Randolph.
6. Court Investigator report filed.

RECOMMENDATION

Need to clear notes. If approved set hearing for filing of inventory and appraisal and care plan, including proof of service of inventory and appraisal, instructions for objection to

inventory and appraisal, order appointing Conservator and care plan in accord with Pr.C.
§§ 1850, 2352 and 2610 for 07/01/09.

Cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN **PROBATE**

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: BPRBS00932

CASE NAME: GUADALUPE PORTER, JR

HEARING:
Hearing re Final Discharge

COUNSEL:
SANTOS PORTER (PET)...JULIA M WOOD
GUADALUPE PORTER JR (DEC)...
SANTOS PORTER (PET)...JULIA M WOOD
GUADALUPE PORTER JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The final probate accounting was approved on 11/14/07.
2. Need receipts and petition for final discharge.

RECOMMENDATION

When receipts or final discharge order are not filed as ordered, the court may set a hearing in accord with Pr.C. § 8505.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0600124

CASE NAME: ESTATE OF THERESA JEAN HAGGARD

HEARING:
Probate status report filed.

COUNSEL:

KATHRYN M HAGGARD (PET)...LAW OFFCS OF LOUIS A STEARNS
THERESA JEAN HAGGARD (DEC)...

GENERAL INFORMATION

**Continued from 9/10/08. Counsel may file a dismissal based upon the size of the estate. (Note that petition would need a Pr.C. 12251 petition, not a dismissal.)
Continued from 10/15/08 to clear notes and give proper notice of request to dismiss action.**

THIS CASE SET FOR HEARING ON Request to Dismiss Probate Action.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner filed this action with a \$150,000 asset estimate. Letters testamentary issued on 3/6/07.
2. The representative filed a probate status report stating that all of the estimated assets turned out not to be probate assets but that a note payable to decedent was discovered which now provides a \$350/mo income stream and has an approximately \$27,000 present value.
3. The representative also filed a request to Dismiss Probate Action on the basis that an Arizona ancillary probate has been concluded to obtain distribution of the note, that a \$5,000 bequest to a now-deceased beneficiary (representative's brother, decedent's son) will be paid outside of probate to that beneficiary's estate per a Pr.C. 13100 declaration, and that the estate can be closed.
 - a. Concern that the specific bequest should be paid prior to any close of this estate otherwise there is no method for determining whether the representative's obligations have been fulfilled. Suggest court require receipt.

- b. There are no allegations regarding creditors, tax obligations, etc. Suggest court require same.

RECOMMENDATION

Need to clear notes then Court's discretion.

cbr/abs/gls/abs

FUTURE HEARING DATES:

12/17/08 Petition for TO DISCHARGE PETITIONER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700004

CASE NAME: JORGE ALBERTO HOLGUIN

HEARING:
Hearing re Final Discharge

COUNSEL:
ALBERTO HOLGUIN (PET)...H
JORGE ALBERTO HOLGUIN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final accounting was approved on 11/14/07.
2. Receipts are filed.
3. Need petition for final discharge.

RECOMMENDATION

When receipts or final discharge order are not filed as ordered, the court may set a hearing in accord with Pr.C. § 8505.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700166

CASE NAME: ROBERT B. HARALIK

SEE ALSO 5 & 6

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
DEPARTMENT OF HEALTH CARE SERV(TP)...PRO/PER

GENERAL INFORMATION:

Continued from 12/19/07. No appearance and court set OSC, cited counsel (later taken off calendar).

Continued from 02-06-08 at request of counsel.

Continued from 3/26/08 at request of counsel to clear notes. Court stated that no more continuances will be granted.

Continued from 4/30/08. Court noted that note 2 re bank statements had not been cleared. Court set OSC re sanctions for failure to file bank statements. Court ordered attorney Shere Bailey to personally appear and must clear note 2 re bank statements or court will impose sanctions. Counsel who appeared that morning to notify attorney Bailey. Continued from 6/18/08. Court set matter for OSC. Citation issued to representative who was ordered to appear. Representative was also ordered to file a plan advising where the money went and how it will be paid back to the estate and information re income taxes (if paid and how).

Continued from 8/20/08. Representative was ordered to cooperate with her atty and comply with court orders.

Continued from 10/8/08. Representative (not in appearance) called court to advise she was ill and could not attend. Court ordered representative to appear at next hearing or court would impose sanctions/issue bench warrant.

THIS CASE IS SET FOR HEARING ON
Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1 Probate petition granted 6/13/07, no bond.
- 2 Final Inventory and Appraisal filed, however, need copies of investment statements to support cash balances on hand per Local Rule 20-908. Supp: Response to OSC file attaching one bank statement and one ATM receipt. The 7/17/07 ATM receipt does not establish a balance on the 11/1/06 date of death and is especially problematic because it is a receipt for clearing out the account. Need bank statement establishing date of death balance for the WaMu account per Local Rule 20-908. Second Supplement filed, however, is a duplicate of the supplement filed prior and does not include a bank statement re Washington Mutual account. A withdrawal receipt is not a bank statement. Need *bank statement* establishing date of death balance for the WaMu account per Local Rule 20-908. **UPDATE: Since 6/18/08 hearing at which OSC was set, no new bank statements or reports have been filed as required at that hearing. Representative has filed a final accounting. See that page for issues. There are no bank statements filed with that accounting. Issues are that there is no bank statement for the WaMu account (only a closing ATM receipt) and the ING statement date of death balance does not match the I&A value stated (\$20,694.90 on I&A at green tab and \$20,322.95 value on bank statement at yellow tab).**
- 3 Citation returned served for Vickie Turman on 08/05/08.
- 4 Supplement filed and petitioner alleges the Discover and Allstate stocks are not assets of the estate but they belong to Carol Hemmelberger. Therefore, need a corrected inventory to correct the value of the estate.

RECOMMENDATION

Need proper bank statements and need corrected inventory.

vet/gls/abs/cbr/abs/cbr/abs/gls/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700166

CASE NAME: ROBERT B. HARALIK

SEE ALSO 4 & 6

HEARING:
OSC re: SURCHARGE

COUNSEL:
VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
DEPARTMENT OF HEALTH CARE SERV(TP)...PRO/PER

See other pages this date.

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700166

CASE NAME: ROBERT B. HARALIK

SEE ALSO 4 & 5

HEARING:

FIRST AND FINAL Account and Report of VICKIE S TURMAN and
Petition for allowance of fees filed.

COUNSEL:

VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
VICKIE S TURMAN (PET)...BAILEY LAW OFFICE
ROBERT B HARALIK (DEC)...
DEPARTMENT OF HEALTH CARE SERV(TP)...PRO/PER

GENERAL INFORMATION

Continued from 8/20/08. Atty stated that she has a consent from DHS and will file it with the court, also that a stip re payment has been worked out.

Continued from 10/8/08. Representative (not in appearance) called court to advise she was ill and could not attend. Court ordered representative to appear at next hearing or court would impose sanctions/issue bench warrant.

THIS CASE IS SET FOR HEARING ON

First and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Accounting is by attorney in place of personal representative. Representative refuses to sign a verification or communicate/cooperate. Question whether court wishes to accept or prefers to compel accounting by representative.
2. Letters testamentary issued 6/15/07, no bond.
3. Atty reports that except for the \$500 paid for filing fees and publication costs, the representative distributed the entire \$23,168.47 estate cash to herself without knowledge of counsel or court authorization. Atty states that

representative has said that only a small amount remains (\$400 in uncashed dividend checks and \$200 in a joint account with a Carol Hemmelberger). Atty states that representative should be ordered to turn over the funds for payment of the probate referee (\$156.86), costs advanced by counsel (\$251), and costs to close the estate (\$175.50).

4. Statutory fees are \$5,215.89. Petitioner states that there are no funds to pay representative but that atty is entitled to fees. **Supp: Petitioner alleges Discover and Allstate securities are not estate assets. Therefore, the statutory basis is incorrect and statutory fees should be \$4,681.25.**
5. Atty requests \$750 extraordinary fees. Itemized, based upon 3 hrs at \$250/hr. Based upon tasks dealing with an uncooperative client/representative and drafting the novel accounting on behalf of the representative. JTD.
6. Atty reports that a \$16,807.99 DHS claim has not been paid. Atty proposes the following plan to close the estate (**Supp: a consent by DHS has been filed**):
 - a. A lien in the claim amount would be placed on the estate real property with 7% interest from date of distribution. The distributees will pay \$200/mo by the 10th of each month until lien is paid off. Any balance becomes payable upon death of distributees, sale/transfer of real property, escrow funding, or default in payment. Question how a joint obligation to pay the monthly amount would work as between the distributees. Also, why would anyone else by the representative/distributee be liable.
 - b. Carol Hemmelberger will receive stock per the will. **Supp: Stock is not a part of the estate. Need corrected inventory.**
 - c. Atty will receive Mojave District Water Rights as compensation for the atty fees (there is no value stated for the rights, though the I&A states a \$9,900 value as of DoD on 11/1/06). Note: If water rights are a valued asset of \$9,900, then this value exceeds the value of the statutory fees by almost double. Court may wish to deny this request.
 - d. Court to order representative to pay \$426.50 for advances, bills, and costs.
 - e. Court to order representative to pay \$156.86 to Probate Referee.
 - f. Representative to receive title to land, mobile home, and personal property per will. Atty states that sale of the property is not feasible because of the poor real estate and credit markets. Question whether DHS and Probate Referee consent to closing of estate under this arrangement. (Both received notice including a copy of this petition but no response has been filed.) Also suggest court inquire re further detail re why there would be nothing of value (personal or real property) that could be sold to honor the claims presented and obligations due by an absconding representative. Personal property to be distributed to her includes vacant land, a mobile home, a camping trailer and truck that would be easily liquidated, Allstate stocks valued on I&A at \$11,786.88 on 11/1/06 DOD (easily liquidated), and many firearms that could easily be liquidated. **Supp: Petitioner alleges that the Allstate and Discover stocks are not a part of the estate and those assets belong to Carol Hemmelberger. If this is accurate, then a corrected inventory is required as well as the fact that statutory fee basis is improperly calculated.**

7. I&A remains incomplete. Proper bank statements have not been provided. See OSC/I&A hearing on a separate page this date. Matter should not be approved until I&A issue is resolved. **Also need corrected inventory as indicated above.**

RECOMMENDATION

Need to clear notes.

Abs/gls/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700504

CASE NAME: MTR OF SHIRLENE J STEWART

HEARING:

Petition for Account and Report of LINDA SWINHART, LAURIE MURRAH and
Petition for allowance of fees filed.

COUNSEL:

LINDA SWINHART	(PET)...PRO/PER
LAURIE MURRAH	(PET)...PRO/PER
DIANE K STEWART	(RES)...PRO/PER

GENERAL INFORMATION:

Prior petition for same relief was heard on multiple occasions, set for OSC re Dismissal on 9/22/08, and was dismissed upon no appearance on 9/22/08. A new petition in more proper (pleading format) was filed for same relief. However, prior petition was dismissed *with prejudice*.

THIS CASE SET FOR HEARING ON Petition to Compel Trustee for Last Accounting and Receipts etc.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

- 1. Prior petition was dismissed with prejudice at 9/22/08 OSC. Does not appear refilling of this same petition is appropriate. JTD.**
2. On 03/12/08, Petitioners agreed to a settlement agreement and stipulated judgment was signed by both counsels. At the time that the settlement was agreed to all parties were before the court and agreed in open court to the settlement. See minute order of 3-12-08. The petitioners appear to not agree with the signed judgment and state that they will not be signing off on the stipulated judgment. The problem with this request is that the judgment has already been signed by the court based upon the petitioners representations of settlement agreed to in open court. There is nothing for them to "sign off" on at this juncture. It should be noted that the petitioners have alleged that Diane Stewart made false representations to the court in order to induce them to enter

- into the settlement agreement. If that is the case, then the petitioners need to bring a proper motion to set aside the judgment.
3. Petitioners seek the Trustee, Diane Stewart, to do the following:
 - b. File a Final accounting with receipts.
 - c. Return any funds taken for credit card debt if proof of payment is not provided.
 - d. Return family jewelry.
 - e. Reimburse Linda Swinhart for additional attorney's fees of \$425.
 - f. To reimburse petitioners for van repairs and registration of \$3,140.
 - g. Reimburse petitioners for expenses incurred by delays of trustee in the amount of \$1,464.
 - h. Reimburse petitioners for costs of items given away by Diane Stewart in the amount of \$3,900.
 - i. Return vintage desk and Jesus picture left to Linda Swinhart.
 - j. Separate parents' ashes and divide amongst the four children.
 - k. Duplicate family photos, movies and divide them equally among the children.
 5. Amendment to mailing service list is filed; however, there does not appear to be notice of hearing and proof of service in the file. Need proper notice.
 6. There is no opposition in the file at the time of this review.

RECOMMENDATION

Court needs to determine whether refilled petition is allowable (see note 1). If proceeding, need to clear notes.

cbr/NMT/kra/abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700602

CASE NAME: DOROTHY HOYT

HEARING:
Accounting Review

COUNSEL:
LINDA HOYT ALLEN (PET)...DAVID W BROWN
DOROTHY HOYT (DEC)...

GENERAL INFORMATION

Continued from 10/6/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON accounting review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED-

1. Letters issued 7/30/07, no bond.
2. No accounting or status report of administration filed.

RECOMMENDATION:

Inquire status. When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. §11050 et seq.

Kra/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700650

CASE NAME: CLARENCE LEON CULBERTSON

HEARING:
Probate status report filed.

COUNSEL:
THELMA J CULBERTSON (PET)...ZUMBRUNN LAW CORPORATION
CLARENCE LEON CULBERTSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Probate status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary issued on 8/22/07.
2. Representative now reports that estate real property must be sold. She requests an additional year to administer the estate.
3. Notice of Hearing indicates an incorrect 10/29/08 hearing date for this hearing. Need proper/correct service.

RECOMMENDATION

Need proper notice then court's discretion. If approved, set next accounting review for 11/15/09.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0700972

CASE NAME: CAROL GERTRUDE HERSING

HEARING:

WAIVER OF Account and Report of GREGORY JOHN HERSING and
Petition for allowance of fees filed.

COUNSEL:

GREGORY JOHN HERSING (PET)...ACHTEL LAW FIRM
CAROL GERTRUDE HERSING (DEC)...
GREGORY JOHN HERSING (PET)...ACHTEL LAW FIRM
CAROL GERTRUDE HERSING (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition for final distribution upon waiver of account and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration were issued on 12/18/07.
2. All beneficiaries waive accounting.
3. Petitioner requests a \$65 reimbursement for overpaid Graduated Filing Fee.
4. Petitioner and atty each request \$8,853.64 statutory fees. Calculated.
5. Atty requests \$750 extraordinary fees related to sale of real property. No calculation provided. JTD.
6. Petitioner requests \$1,112 reimbursement for costs advanced (bond premium). JTD.
7. Petitioner requests \$5,000 reserve for closing expenses and tax liabilities. JTD.

RECOMMENDATION

RFA subject to court's determination re fees and costs. If approved, set hearing re receipts and final discharge for 11/15/09.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701012

CASE NAME: KELVIN KAUP

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With
Full Authority Under IAEA..

COUNSEL:

ADAM KAUP	(PET)...PRO/PER
KELVIN KAUP	(DEC)...

GENERAL INFORMATION

Original probate petition was filed 10/22/07. After several continuances, fails to appear, and failures to clear notes, probate petition was dismissed without prejudice 4/1/08 for lack of prosecution.

Continued from 08/06/08. Probate notes were discussed. Petitioner to file a copy of will to be attached to 2nd petition and to file proof of subscribing witness.

Continued from 9/10/08.

Continued from 10/15/08. Court reviewed notes with the petitioner. Supplements to be filed.

THIS CASE IS SET FOR HEARING ON Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner filed petition on the 2005 form and not the updated 2008 form. Does court wish to require correction?
2. There is no photocopy of the will attached to this petition. **Petitioner to file a copy of will to be attached to 2nd petition and to file proof of subscribing witness.**
 - a. Court ordered a copy of the will be attached to updated petition. Petitioner filed a copy of the will only. Still need 2nd petition and proof of subscribing witness. **Update: Proof of subscribing witness was filed 10/15/08 but it did not attach a photocopy of the will and therefore is invalid (the**

witness is attesting that the attached photocopy of the will contains his signature). Need correction.

3. Petitioner alleges that will waives bond. Need photocopy of will to be probated (see note above) and a determination re whether will waives bond.

RECOMMENDATION

Need to clear notes.

Abs/cbr/abs/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701016

CASE NAME: MTR OF MICHAEL GEORGE MICHAELS

HEARING:

Waiver of account and for final distribution.

COUNSEL:

LOIS MICHAELS (PET)...CALDWELL, KENNEDY & PORTER, A.
MICHAEL GEORGE MICHAELS (DEC)...
LOIS MICHAELS (PET)...CALDWELL, KENNEDY & PORTER, A.
MICHAEL GEORGE MICHAELS (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Petition for final distribution upon waiver of accounting and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration were issued on 12/10/07.
2. Sole beneficiary waived accounting.
3. Representative requests approval of a \$5,000 claim against the estate based upon a loan made to decedent and his wife. See orange tab in file. JTD.
4. Petitioner and atty each request \$5,734.98 statutory fees. Calculated.
5. Atty requests \$4,439 extraordinary fees related to sale of real property. Itemized. 29.2 hrs, atty at \$260-\$300/hr and paralegal at \$110/hr. JTD.
6. Petitioner requests \$10,000 reserve for closing expenses. JTD.

RECOMMENDATION

RFA subject to court's determination of loan reimbursement and extraordinary fees. If approved, court to set hearing on filing receipts and final discharge for 11/15/09.

abs

Superior Court of Calif, County of San Bernardino

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CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701068

CASE NAME: MARJORIE G LOWRANCE REVOCABLE LIVING TRUST

HEARING:

FIRST AND FINAL Account and Report of MICHAEL PAGE and Petition
for allowance of fees filed.

COUNSEL:

MICHAEL PAGE (PET)...CALDWELL, KENNEDY & PORTER
MICHAEL PAGE (PET)...CALDWELL, KENNEDY & PORTER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

First and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Trust accounting period 5/25/06 to 9/17/08 (16 months).
2. Assets on hand \$10.08.
3. Petitioner does not request fees but requests reimbursement of \$23,996.49 costs. Itemized (yellow tab in file). Includes many entries totaling \$11,340 for loans to the settlor. Concerns (need verified supplement):
 - a. There is no detail or backup for these entries.
 - b. The loans were allegedly made prior to appointment of petitioner as trustee and prior to the start of this accounting period. Appears the loans would be a claim against the estate and not a claim for reimbursement.
4. Disbursements (Schedule C) shows a \$400 disbursement to petitioner without explanation. Need verified supplement.
5. After payment of reimbursements there will be no assets on hand to distribute.
6. Petitioner requests that no compensation be paid to the prior co-trustee (Mary Beth Deramus) who was later removed.
7. No request for atty fees is made.

RECOMMENDATION

Need to clear notes.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0701134

CASE NAME: RODERICK MARTIN NIELSON

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

RODERICK NIELSON (PET)...PRO/PER
RODERICK MARTIN NIELSON (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Probate petition was granted on 4/16/08, no bond.
2. Need Final I&A.

RECOMMENDATION

When an inventory and appraisal is not filed as ordered, the court may set hearing in accord with Pr. C. §§ 8804 and/or 8505.

abs

FUTURE HEARING DATES:
6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800072

CASE NAME: JAMES MICHAEL BROWN

VACATED- FINAL I&A FILED.

SEE ALSO 15A

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
MARGARET MARIE PETERSON (PET)...MEDEIROS & ASSOCIATES
JAMES MICHAEL BROWN (DEC)...

Superior Court of Calif, County of San Bernardino

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CIVCAL4

Superior Court - Redlands - Probate

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR
HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08

TIME: 9:00

DEPT: E2

CASE #: PROPS0800072

CASE NAME: JAMES MICHAEL BROWN

SEE ALSO 15

HEARING:

Petition for SETTLEMENT OF FIRST AND FINAL ACCOUNT OF ESTATE PTN
FOR FINAL DIST ETC

COUNSEL:

MARGARET MARIE PETERSON (PET)...MEDEIROS & ASSOCIATES
JAMES MICHAEL BROWN (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Petition for final distribution upon waiver of
account and for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued 3/5/08.
2. Petitioner is the sole heir and waives an accounting.
3. Did decedent have a predeceased spouse who received Medi-Cal benefits?
Need verified supplement.
4. Petitioner waives compensation.
5. Atty requests \$8,102 net fees after a reduction of \$274.50 for remaining costs
retainer. Calculated.
6. The Summary of Account (tabbed) shows \$20,402.32 disbursements without
explanation or schedule. On the other hand, an accounting has been waived.
JTD.
7. Petitioner alleges that all tax returns of the decedent will be prepared as
required. However, Creditor's Claim in the amount of \$1,082.53 has been filed.
question whether the taxes have been paid. Need verified supplement.

RECOMMENDATION

Need to clear notes.

Abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800194

CASE NAME: WILLIE JOHNSON REVOCABLE LIVING TRUST

HEARING:

Petition for CONVEYANCE OF REAL PROPERTY TO TRUST & ELDER ABUSE

COUNSEL:

BARBARA CROSS (PET)...CRYSTAL HAYES HILL
WILLIE JOHNSON 2006 REVOCABLE (TEE)...
DEBRA JOHNSON (GERALD B YAM)...GERALD B

GENERAL INFORMATION

Continued from 4/23/08. Supplement had been filed but not received by objector. Matter continued for receipt of supplement by objector who will be filing objections.

Continued from 6/11/08 for service . Mr. Johnson indicated that he had not been served with a copy of the petition. Nothing new filed.

Continued from 8/13/08. Court also set OSC re sanctions for failure of atty Hill to appear, noting that other counsel and parties are present. (See 8/13/08 Minute Order re representation issues.) Court ordered atty Hill to personally appear. Clerk mailed notice.

Continued from 9/17/08. Atty stated that he believed that estate real property was foreclosed that week. Court had no confirmation. Petitioner advised that she was retaining new counsel but had not yet filed a Substitution of Attorney. Notice of Trustee's sale filed.

THIS CASE IS SET FOR HEARING ON

Petition for conveyance of real property (PR.C. 850) and for financial elder abuse.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges she is the executor of decedent's estate. Copy of will attached to petition. Has probate been opened and has petitioner been appointed? (This petition is the first filing in this case.) If so then need proof of that appointment (and this petition should have been filed in that case). If not

- then petitioner does not have standing to bring this action on behalf of the estate. Need verified supplement. **Supp: Petitioner is successor trustee.** Objector disputes standing, issue to be resolved as this claim is litigated.
2. Petitioner alleges that when decedent bought real property, his daughter (respondent Debra Johnson) put her name on title, defeating decedent's intent to bequeath the property to petitioner and another person via his pour-over will and trust. Petitioner adds that soon after purchase of the property, respondent induced decedent to deed the property to four people as joint tenants without an understanding of what was being done. (See paragraph 13 and Exhibit 4 of petition.) Petitioner also alleges financial elder abuse by respondent.
 3. Petitioner's allegations that decedent was induced to sign a deed transferring the property to four people indicates that those people, who would claim title to the property, would need to be respondents in this action and would need to be served, etc. Need amended petition and new service or verified supplement or P&As establishing that the other title holders need not be named respondents. **Supp: One is decedent, one is petitioner, and one (Larry Johnson) who is not accused of wrongdoing and would benefit by petition.** Court has previously required notice. Nothing new filed.
 4. Petitioner requests recovery of title to the property and conveyance of the property to decedent's trust, an order directing respondent to participate in the refinancing of the real property by taking her name off of title and loan documents, for double damages pursuant to Pr.C. 859, and for fees and costs. Allegations and damages will need to be proven at an evidentiary hearing.
 5. Need notice of hearing and proof of service (including personal service upon persons now possessing title to the property).
 6. **Objection filed by Debra Johnson on basis petitioner is not executor and cause of action belongs to decedent, as well as objection on the merits.**
 7. **Notice of Trustee's sale filed.**

RECOMMENDATION

Court may wish to inquire whether this petition is moot as trustee's sale was conducted on 09/16/08.

Abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800388

CASE NAME: the freddie w popejoy and patricia a popejoy trust

HEARING:

Order to Show Cause re: SANCTIONS filed by JONATHAN POPEJOY.

COUNSEL:

JONATHAN POPEJOY (PET)...THE WELCH LEGAL GROUP
PAULA D POPEJOY (OBJ)...PRO/PER

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
OSC re sanctions.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This OSC was set at a 9/29/08 MSC at which party Paula Popejoy failed to appear. See Minute Order, tabbed in file.
2. **Objections filed by Paula Popejoy; however, the objections are not signed or verified. Need verification.**

RECOMMENDATION

None.

Abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800800

CASE NAME: LEWIS MAXWELL GOODWIN

HEARING:

Hearing re: Petition for Letters of Admin. W/ Limited Authority
under IAEA

COUNSEL:

JODY BEN GOODWIN (PET)...JOHN R. GOTTES
LEWIS MAXWELL GOODWIN (DEC)...

GENERAL INFORMATION:

Continued from 10/8/08. Counsel had called to request a continuance on the basis that even though the petition was RFA, there is a question re estate assets and whether the matter needs to be probated. Nothing new filed.

THIS CASE IS SET FOR HEARING ON Petition for letters of Administration with limited authority under IAEA by son

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the sole heir and waives bond.
2. See General Information above re open issues. Suggest court inquire.

RECOMMENDATION:

RFA subject to note 2. If approved, set hearing on filing inventory and appraisal for 7/1/09. Set hearing on accounting review for 1/27/10. Accounting to be filed 30 days in advance.

gls/cbr/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800916

CASE NAME: ROBERT EARL HICKLIN JR

HEARING:
Petition to determine succession to Real Property

COUNSEL:
LORNA JOYCE HICKLIN (PET)...FULLERTON LEMANN SCHAEFFER & D
ROBERT EARL HICKLIN JR (DEC)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON
Petition to determine succession to real property.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the surviving spouse who seeks succession to decedent's separate interests in real property per decedent's will naming petitioner as the sole beneficiary.
2. I&A filed indicating a total \$29,000 property value.
3. Decedent was not a CA resident but left the subject real properties here.
4. No opposition filed as of date of review.

RECOMMENDATION

RFA. If approved, no future dates need be set.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: PROPS0800924

CASE NAME: LELIA CARDONA

HEARING:

Hearing re: Petition for Probate, Letters of Testamentary With

Full Authority Under IAEA..

COUNSEL:

LYDIA R CARDONA (PET)...HARTNELL, LISTER & MOORE
LELIA CARDONA (DEC)...

GENERAL INFORMATION

Special administration was granted on 10/16/08.

THIS CASE IS SET FOR HEARING ON

Petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need proof of publication.
2. Need notice of petition to administer and proof of service.
3. An original will was not filed. This is not a petition to probate a lost will. Need original will or amended petition seeking to probate a lost will (and new publication and notice) with support to meet the requirements of Pr.C. 6124
4. Will waives bond.

RECOMMENDATION

Need to clear notes.

abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS03038

CASE NAME: SALVADOR RUBALCAVA

HEARING:

FIRST AND FINAL Account and Report of IRMA KRISH, RICHARD RUBALCAVA and Petition for allowance of fees filed.

COUNSEL:

IRMA KRISH	(PET)...	RONDA A MIDDLETON
SALVADOR RUBALCAVA	(DEC)...	
RICHARD RUBALCAVA	(PET)...	MARSHAL A OLDMAN
SALVADOR RUBALCAVA	(DEC)...	
RICHARD RUBALCAVA	(PET)...	MARSHAL A OLDMAN
IRMA KRISH	(PET)...	RONDA A MIDDLETON
SALVADOR RUBALCAVA	(DEC)...	
RICHARD RUBALCAVA	(PET)...	MARSHAL A OLDMAN
ROBERTA PEREA	(OBJ)...	PATRICK J ROGERS

GENERAL INFORMATION

Continued from 10/14/08.

THIS CASE IS SET FOR HEARING ON first and final account and report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. The parties entered into a stipulated settlement concerning an unequal division of property. A copy of that stipulation is in the court's file.
2. Statutory fees are \$5,551.60. Petitioner Richard Rubalcava will receive \$3,886.12 and Irma Krish will receive \$1,665.48. Attorney fees will be divided in the same manner with \$1,665.48 to Sheasby and Middleton with the remainder to Mr. Oldman.
3. **Objections filed by Roberta Perea. Matter is contested.**

RECOMMENDATION:

Set for contested hearing.

NMT/cbr/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS03046

CASE NAME: ALVIN CHARLES SLONIM

HEARING:

SECOND AND FINAL Account and Report of FATIMA SLONIM and
Petition for allowance of fees filed.

COUNSEL:

FATIMA SLONIM (PET)...LAMB MORRIS & LOBELLO
ALVIN CHARLES SLONIM (DEC)...
JACKIE BIRD (PET)...HARTNELL, LISTER & MOORE
FATIMA SLONIM (PET)...PATRICIA A LOBELLO
ALVIN CHARLES SLONIM (DEC)...
JASON SLONIM (OBJ)...M DANIEL SAYLOR

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON

Second and final account and petition for fees.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of special administration were issued on 8/29/06. Letters of administration were issued on 11/15/06.
2. Representative requests a \$125 refund per Burkey v. State of California (2008) 161 Cal.App.4th 465.
3. Petitioner requests approval of a settlement agreement whereby \$20,000 would be provided to Jackie Bird and counsel (Exhibit D). JTD.
4. Petitioner and atty each request \$12,470.06 statutory fees. Petitioner's fees to be adjusted for prior court orders requiring reimbursements to the estate for a net \$11,050.06 to petition.
5. Petitioner requests \$550 extraordinary fees re sale of real property, based upon 27.5 hrs at \$20/hr. Itemized. JTD.
6. Atty requests \$4,955.50 extraordinary fees re sale of real property, based upon 21.9 hrs. Atty billed at \$300/hr and paralegal at \$95/hr. JTD.

7. Petitioner requests a \$2,500 reserve for closing expenses and taxes. JTD.
8. Petitioner requests that the current \$518,000 bond be exonerated because there will only be \$2,500 in the estate after distribution. This request ignores the fact that the bond is also intended to ensure that the estate is properly distributed. Suggest court leave bond in place until receipts are filed and petition for discharge is approved. **Supp: Petitioner requests if bond is not exonerated, petitioner request the court reduce bond to \$300,000 as all the assets on hand currently total \$282,693.93 and do not warrant \$518,000 bond. Judge to decide**

RECOMMENDATION

Court's determination re notes 3, 8, and fees. If approved, set hearing re receipts and final discharge for 11/15/09.

Abs/cbr

FUTURE HEARING DATES:

7/08/09 Petition for JACKIE BIRD TO DETERMINE ENTITLEMENT TO ESTATE DISTRIBUTION (**would be moot if settlement agreement is approved per note above**)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: RPRRS03072

CASE NAME: JUANITA REBER

HEARING:
Accounting Review

COUNSEL:
ROBERT J CLEVENGER (PET)...LOFTY MRICH
JUANITA REBER (DEC)...

GENERAL INFORMATION Continued from **6-17-08**. Nothing new filed.
Continued from 9-2-08 at request of counsel to file accounting. Nothing new filed.
Continued from 10/14/08. No appearance. Clerk mailed notice.

THIS CASE SET FOR HEARING ON Accounting Review and/or Status Report

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:
1. Matter is set for Accounting Review. No accounting and/or status report has been filed.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk needs to notice bond company

cbr/NMT/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: SPRSS07028

CASE NAME: ESTATE OF BARBARA JEAN CHRISTENSEN

HEARING:
Hearing re Final Discharge

COUNSEL:
TODD CHRISTENSEN (PET)...GRESHAM SAVAGE NOLAN & TILDEN
CAROL DOCIS (PET)...GRESHAM SAVAGE NOLAN & TILDEN
BARBARA JEAN CHRISTENSEN (DEC)...
RITA A. REHASTE (TP)...SANDERS, COLLINS & REHASTE LLP

GENERAL INFORMATION
Continued from 10/15/08 to file receipts.

THIS CASE IS SET FOR HEARING ON
Hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final distribution order was entered on 10/10/07.
2. Receipt filed; however, receipt does not match amounts listed on final order for distribution. Please file verified statement to clarify amount of cash received.
3. Ex Parte Petition for Final Discharge and Order submitted.

RECOMMENDATION
Need to clear note 2.

Abs/abs/cbr

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002580

CASE NAME: ESTATE OF WENDY FERNE PHILLIPS **** MF****

HEARING:
Accounting Review

COUNSEL:

SHARON MALEKOW (PET)...PRO/PER
WENDY FERNE PHILLIPS (DEC)...
JAKE PHILLIPS (MIN)...JEANNE KENNEDY
BRANDON PHILLIPS (MIN)...JEANNE KENNEDY
PATRICIA RODRIGUEZ (SG)...CALDWELL, KENNEDY & PORTER, A.
SHARON MALEKOW (PLA)...
STEVEN LONGORIA (PET)...PRO/PER
SHARON MALEKOW (TP)...
WESTERN SURETY COMPANY (ANDERSON, MCPHARLIN & CONNERS
)...ANDERSON,
JESSICA PHILLIPS JORDAN ()...
JAKE PHILLIPS (JEANNE KENNEDY)...JEANNE KE
BRANDON PHILLIPS (JEANNE KENNEDY)...JEANNE KE
JESSICA PHILLIPS JORDAN ()...

GENERAL INFORMATION

**Bench warrant was issued on 05/02/08 as to Petitioner Sharon Malekow for failure to appear. Bail was set at \$300,000. MAY NOT FORFEIT.
Continued from 5/28/08 at request of counsel to review status of locating Sharon Malekow. Nothing new filed.**

THIS CASE SET FOR HEARING ON Accounting Review and/or status report.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. This matter is set for Accounting Review. No accounting and/or status report has been filed.

RECOMMENDATION

When the personal representative does not file an accounting as required, the court shall take action as specified in Pr.C. § 11050 et seq. Clerk must notice bond company

Cbr/abs

FUTURE HEARING DATES:6/24/09 Accounting Review

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS002770

CASE NAME: ESTATE OF GERALDINE ZELLA MURPHY

HEARING:
Status Conference

COUNSEL:
JACK STANLEY KING (PET)...CALDWELL, KENNEDY & PORTER, A.
GERALDINE ZELLA MURPHY (DEC)...
RONALD R KING (TP)...CAROLYN J SCHAUF.
BRYAN C HARTNELL (HARTNELL, LISTER & MOORE)...HARTNELL,
RONALD R KING (HARTNELL LISTER & MOORE)...HARTNELL

No notes – status conference.

FUTURE HEARING DATES:
1/07/09 Readiness Calendar
1/13/09 Court Trial set for PETITION FOR PROBATE of JACK STANLEY KING

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 9:00 DEPT: E2

CASE #: VPRVS02152

CASE NAME: ESTATE OF WILLIAM ROBERT KEES

HEARING:
Hearing re Final Discharge

COUNSEL:
PATRICIA ROBERT KEES (PET)...DAVID W BROWN
WILLIAM ROBERT KEES (DEC)...

GENERAL INFORMATION:
Order for Final Distribution granted 9/25/08
Continued from 10/15/08 at request of counsel. Nothing new filed.

THIS CASE IS SET FOR HEARING ON filing receipts and final discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. No receipts or final discharge are submitted.

RECOMMENDATION:
When receipts or final discharge order are not filed as ordered, the court may set a hearing in accord with Pr.C. § 8505.

Gls/abs

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

CONSERVATORSHIP

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700100

CASE NAME: LOUIS VALVERDE

HEARING:
Accounting Review

COUNSEL:
JAMES A VALVERDE (CPE)...PRO/PER
LOUIS VALVERDE (CEP)...SANDRA L TURNER
EVA VALVERDE (CIT)...

GENERAL INFORMATION

Continued from 10/1/08. No appearance by petitioner.

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship of person and estate was granted on 7/25/07, \$210,000 bond.
2. Need accounting.
3. Suggest court notice bonding company.

RECOMMENDATION

When an accounting is not filed as required, the court shall take action as specified in Pr.C. § 2620.2. Clerk to notice bond company.

Abs/gls

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700108

CASE NAME: MTR OF JOHN HERMAN MYERS

HEARING:
Accounting Review

COUNSEL:
JOHN PAUL MYERS (CPE)...PRO/PER
JOHN HERMAN MYERS (CEP)...JEANNE KENNEDY

GENERAL INFORMATION:

On 9/24/08 the court ordered the conservatorship terminated and set this review date.

THIS CASE IS SET FOR HEARING ON Accounting Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatee has filed a declaration and waiver of accounting.

RECOMMENDATION:

Court's discretion. If approved, court to set hearing on filing receipts and final discharge for 11/15/09.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700128

CASE NAME: SEYMOUR HOLLEK

VACATED- ACCOUNTING FILED AND IS SET ON 12/10/08.

HEARING:
Accounting Review

COUNSEL:
GAIL GAPPELL (PET)...LAW OFFICE OF MARK R RAPHAEL
SEYMOUR HOLLEK (PCE)...SANDY L. TURNER

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0700170

CASE NAME: ANGELA SARA VIA

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of CATHERINE SARA VIA

COUNSEL:

CATHERINE SARA VIA (CP)...JANIS HILKE
ANGELA SARA VIA (CTP)...JANET M HERRING

GENERAL INFORMATION

Order Appointing Conservator (person only) issued 6/25/08. However, letters of conservatorship are not yet issued.

Continued from 10/8/08. Court notes that Attorney Herring advises the court that she will be assisting petitioner to complete the care plan.

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Need to file Care Plan.
2. Note: Attorney Janis Hilke substituted in as counsel for petitioner on 10/3/08.

RECOMMENDATION

Find out status.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800004

CASE NAME: ADRIENNE GRETCAN SMITH

HEARING:

Conservatorship Compliance Review Hearing on PETITION FOR
CONSERVATORSHIP of EARNEST L SMITH

COUNSEL:

EARNEST L SMITH (CP)...PRO/PER
ADRIENNE GRETCAN SMITH (CTP)...ANNETTE G DE BELLEFEUILLE
MARY S SMITH (PCR)...PRO/PER

GENERAL INFORMATION:

Letters of Conservatorship (person only) issued 4/2/08.

THIS CASE IS SET FOR HEARING ON Conservatorship Compliance Review

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Care Plan is filed
2. Need Court Investigator's six-month report.

RECOMMENDATION:

Need CI report.
(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800054

CASE NAME: BENJAMIN O. ROODHOUSE JR.

HEARING:

THRID CURRENT Account and Report of STEPHEN L. ROODHOUSE and
Petition for allowance of fees filed.

COUNSEL:

STEPHEN L. ROODHOUSE (PCR)...JOEL L LOQUVAM
BENJAMIN O. ROODHOUSE JR. (PCE)...

GENERAL INFORMATION:

Accounting covers period: 5/8/07 – 5/31/08

Assets on hand: \$161,028.16 (cash of \$39,528.16, real property of \$120,000 and the
balance in personal property)

THIS CASE IS SET FOR HEARING ON Third Account Current and Petition for Allowance
of Fees

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner waives fees for this accounting period.
2. Attorney requests fees of \$3,800.00. Attorney alleges that 12 hours was
spend by him and his staff during this accounting period. Attorney further
alleges that an additional 5 hours is needed to review the probate notes and
to respond to any probate notes. There is no itemization of the hourly rate
but 17 hours at \$3800 calculates to approximately \$225/hour. Need
itemization of hourly rate, the specific services performed as well as any
paralegal qualifications, if applicable. File verified supplement.
3. Petitioner requests that bond be reduced to \$40,000. However, with the
current assets on hand, estimated annual income and bond recovery costs
(CRC 7.207), bond should be increased from \$56,500 to \$65,000. JTD
4. Petitioner requests authority to establish a durable power of attorney-asset
management for the conservatee under substituted judgment as well as an
estate plan and that these proceedings be terminated upon the signing of

those documents. Need copies of the proposed durable power of attorney and estate plan. Also question whether conservatee has a current estate plan and if so, please provide copies.

5. Court may wish to appoint counsel for proposed conservatee as it relates to the substituted judgment. JTD

RECOMMENDATION:

Need to clear note 2 and 4. Court may wish to appoint counsel for conservatee relating to the request for substituted judgment.

(gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800176

CASE NAME: JOHN BOODOOSINGH

HEARING:
Petition for Appointment of Conservator

COUNSEL:
SURUJINI WILLIAMS (PCR)...PRO/PER
JOHN BOODOOSINGH (PCE)...FRANK J PRAINITO

GENERAL INFORMATION:

Ex Parte hearing held 07-02-08. Attorney Frank J. Prainito appointed for proposed conservatee. Referred to Court Investigator for report. Nothing new filed.

Continued from 8-5-08 and 9/9/08. Notes below remain uncorrected.

Continued from 10/22/08. Mr. Prainito did not appear due to conflicting appearance in San Bernardino. Court relieved Mr. Prainito and appointed James Church; who accepted appointment. Court ordered amended petition filed today, 10/22/08, and set for hearing on 11/19/08.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person only, by daughter.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Bond not required – person only.
2. Petitioner has been nominated by the proposed conservatee.
3. Powers under Pr. C. §§ 2351-2358 sought regarding making medical treatment decisions for proposed conservatee, authorization for medical care and treatment of proposed conservatee and collection of entitlements for proposed conservatee. However, the court cannot properly exercise its discretion in the absence of a declaration indicating why each power sought is actually needed. A generalized statement of need for powers is not sufficient. File verified supplement.
4. Court grants petitioner's waiver of Court Investigator's fees on basis it would impose a financial burden to conservatee's estate.

5. Petitioner alleges some of the relatives' whereabouts are unknown and petitioner alleges they were served by "substitution" in care of Amarnath Boodoosingh in Tampa, FL. This is improper service. Need to file due diligence declaration for each individual whose whereabouts are unknown.
6. List of Required Contact Information for Conservatorship is incomplete. The relationship and completed addresses of people listed are not given. Need to file completed form.
7. Court Investigator's Report is in file
8. Report of Court-Appointed Counsel is in the file.
9. File notice of hearing and proof of service.

RECOMMENDATION

Need to clear notes. If approved, set Conservatorship Compliance Review hearing for filing of care plan and order appointing Conservator and care plan for 7/1/09.

(vet/NMT/gls/cbr/gls)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: CONPS0800262

CASE NAME: THOMAS RUE MARSHALL

HEARING:
Petition for Appointment of Conservator

COUNSEL:
TAMMY LYNN PALMER (CP)...MCCLELLAN & WILSON
THOMAS RUE MARSHALL (CTP)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Conservator, person only, by sister

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner alleges proposed conservatee is developmentally disabled. Court has discretion to appoint counsel for proposed conservatee.
2. Petitioner alleges proposed conservatee is able, but unwilling to attend the hearing and does not wish to contest the establishment of the conservatorship.
3. Medical Capacity Declaration is filed.
4. Court Investigator report filed.
5. Need return of Citation.
6. Need IRC report.

RECOMMENDATION:
Need to clear notes.
(gl/cbr)

CIVCAL4 Superior Court - Redlands - Probate
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE CYNTHIA LUDVIGSEN

DATE: 11/19/08 TIME: 10:30 DEPT: E2

CASE #: VC VS298

CASE NAME: IN THE MATTER OF MICHAEL S ALLEN

HEARING:
Accounting Review

	COUNSEL:
RENATE PARDUE	(PLA)...
MICHAEL S ALLEN	(PLA)...
PRO PER	(PLA)...PRO/PER

GENERAL INFORMATION

Continued from 9/17/08. Court refers matter to Court Investigator so that conservator can be contacted to file a petition to dispense with an accounting.

THIS CASE IS SET FOR HEARING ON
Accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Previous ex parte petition to dispense with accounting (small estate) was granted on 12/13/06 and a new accounting review was set.
2. Ex parte petition to dispense with accounting filed.
3. Court Investigator report filed.

RECOMMENDATION

Court may wish to sign ex-parte petition to dispense accounting.

Abs/gls/cbr